O I P

MAR 0 5 2002

Sector #3

0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/014,919
		Filing Date	December 11, 2001
TRANSMITTAL FORM		First Named Inventor	Andrew B. Baker
		Confirmation No.	9981
(to be used for all correspondence during pendency of filed application)		Group Art Unit Number	2164
		Examiner Name	Not yet known
Total Number of Pages in This Submission	11	Attorney Docket Number	18922-05648

ENCLOSURES *(check all that apply)*

- [ ] Fee Transmittal Form (in duplicate)
    - [ ] Check Enclosed
- [X] Return Receipt Postcard
- [X] Response to Notice to File Missing Parts
- [X] Copy of Notice to File Missing Parts
- [X] Declaration
- [X] Power of Attorney
- [ ] Information Disclosure Statement & PTO-1449
    - [ ] Copies of IDS Cited References
- [ ] Request for Corrected Filing Receipt
- [ ] Application Data Sheet
- [ ] Amendment/Response: [ ] Page(s)
    - [ ] After Final
- [ ] Status Request
- [ ] Revocation and Power of Attorney

- [ ] Issue Fee Transmittal
- [ ] Letter to Chief Draftsperson
- [ ] Formal Drawing(s):
    - [ ] Sheet(s) of Figure(s) [ ]
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Certified Copy of Priority Document(s)
- [ ] After Allowance Communication to Group
- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____

REMARKS:.

SIGNATURE OF ATTORNEY OR AGENT

Signature:	
Attorney/Reg. No.:	Daniel R. Brownstone, Registration No. 46,581	Dated: 22 Feb 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date shown below

Signature:	
Typed or Printed Name:	Daniel R. Brownstone	Dated: 22 Feb 2002

18922/05648/SF/5069304.1

BEST AVAILABLE COPY

MAR 0 5 2002

#3

PTO/SB/17 (10-01)(modified)
OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified)
Rev. 10/2001
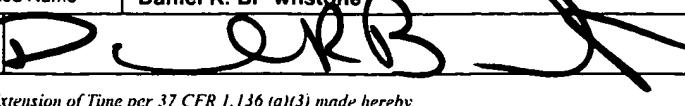
U.S. Department of Commerce
Patent and Trademark Office

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = **($)1206.00**

Complete if Known	
Application Number	10/014,919
Filing Date	December 11, 2001
First Named Inventor	Andrew B. Baker, et al.
Confirmation No.:	9981
Group Art Unit	2164
Examiner Name	Not yet known
Attorney Docket Number	18922-05648

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to:

☐ Charge the indicated fees to the below mentioned deposit account.

☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †

☐ Applicant claims small entity status See 37 CFR 1.27

Deposit Account Number: 19-2555
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2. ☒ **Payment Enclosed:**
☒ Check   ☐ Credit Card   ☐ Other

FEE CALCULATION (fees effective 10/01/2001)

1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/$740	201/$370	Utility Filing	740
106/$330	206/$165	Design Filing	
108/$740	208/$370	Reissue	
114/$160	214/$80	Provisional Filing	

SUBTOTAL (1) **($) 740**

2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/$18	203/$9	Claims in excess of 20
102/$84	202/$42	Independent claims in excess of 3
104/$280	204/$140	Multiple dependent claim
109/$84	209/$42	Reissue independent claims over original patent
110/$18	210/$9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/$130	205/$65	Surcharge - late filing fee or oath	130
127/$50	227/$25	Surcharge-late provisional filing fee or cover sheet	
147/$2,520	147/$2,520	For filing a request for reexamination	
115/$110	215/$55	Extension for response within first month†	
116/$400	216/$200	Extension for response within second month†	
117/$920	217/$460	Extension for response within third month†	
118/$1,440	218/$720	Extension for response within fourth month†	
128/$1,960	228/$980	Extension for response within fifth month†	
119/$320	219/$160	Notice of Appeal	
141/$1,280	241/$640	Petition to revive unintentionally abandoned application	
142/$1,280	242/$640	Utility Issue Fee (Or Reissue)	
143/$460	243/$230	Design Issue Fee	
122/$130	122/$130	Petitions to the Commissioner	
126/$180	126/$180	Submission of Information Disclosure Statement	
179/$740	279/$370	Request for Continued Examination (RCE)	
581/$40	581/$40	Recording each patent assignment per property (times number of properties)	
146/$740	246/$370	Filing a submission after final rejection (37 CFR 1.129(a))	
149/$740	249/$370	For each additional invention to be examined (37 CFR 1.129(b))	
		Other fee (specify):	
		Other fee (specify):	

SUBTOTAL (3) **($)130**

For	(Col. 1) No. of Existing Claims		(Col. 2) Highest No. Previously Paid For		(Col. 3) Extra**	Fee	Fee Due
TOTAL	10	minus*	20 or	0	= 0		
INDEP	7	minus*	3 or	0	= 4	84	336

[ ] First presentation of multiple dependent claim   =

* Subtract the greater number of Col. 2
** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) **($)336**

SUBMITTED BY

Typed or Printed Name	Daniel R. Brownstone	Complete (if applicable)	
		Reg. Number	46,581
Signature	[signature]	Date	22 feb '02

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

18922/05648/SF/5069301.1

PATENT

#3

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT(S):   Andrew B. Baker et al.

APPLICATION NO.:   10/014,919

FILING DATE: December 11, 2001

TITLE: SYSTEM AND PROCESS FOR JOB SCHEDULING TO MINIMIZE
                     CONSTRUCTION COST

CONFIRMATION NO.   9981

EXAMINER: Not yet known

GROUP ART UNIT: 2164

ATTY. DKT. NO.:   18922-05648

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated February 7, 2002, received in the

above-identified patent application,

Enclosed are:

☒ a copy of the Notice to File Missing Parts;

☒ an original, signed Declaration;

☒ an original, signed Power of Attorney;

☐ an Application Data Sheet;

1

☒ payment in the amount of $ 1206.00 for the

    ☒ application filing fee;

    ☒ fee for additional claims; and

    ☒ missing parts surcharge.

Respectfully submitted,
ANDREW B. BAKER, MATTHEW L.
GINSBERG, TRISTAN SMITH, DANIEL B.
KEITH, ANDREW PARKES and BRYAN SMITH
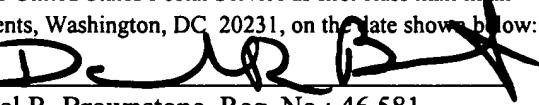
Dated: 22 Feb 2002   By: _____
Daniel R. Brownstone, Reg. No.: 46,581
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (415) 875-2358
Fax: (415) 281-1350

18922/05648/SF/5069296.1

2

#3

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/014,919	12/11/2001	Andrew B. Baker	18922-05648

CONFIRMATION NO. 9981

00758
FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

FORMALITIES LETTER

OC000000007441034

Date Mailed: 02/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**COPY OF PAPERS
ORIGINALLY FILED**

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
  Applicant must submit $ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is $336.
  - $336 for 4 independent claims over 3 .
- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 1206.**

A copy of this notice __MUST__ be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/11/2002 BABRAHA1 00000080 10014919

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:102	336.00 OP